

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL, INC., COMEDY)
PARTNERS, COUNTRY MUSIC.)
TELEVISION, INC., PARAMOUNT)
PICTURES CORPORATION, and BLACK)
ENTERTAINMENT TELEVISION, LLC,)
Plaintiffs,)
vs.) NO. 07-CV-2103
YOUTUBE, INC., YOUTUBE, LLC,)
and GOOGLE, INC.,)
Defendants.)

THE FOOTBALL ASSOCIATION PREMIER)
LEAGUE LIMITED, BOURNE CO., et al.,)
on behalf of themselves and all)
others similarly situated,)
Plaintiffs,)
vs.) NO. 07-CV-3582
YOUTUBE, INC., YOUTUBE, LLC, and)
GOOGLE, INC.,)
Defendants.)

H I G H L Y C O N F I D E N T I A L
VIDEOTAPED DEPOSITION OF JONATHAN ROSENBERG
PALO ALTO, CALIFORNIA
FRIDAY, DECEMBER 4, 2009

JOB NO. 18170

1 DECEMBER 4, 2009

2 10:05 a.m.

3

4 VIDEOTAPED DEPOSITION OF JONATHAN ROSENBERG,
5 WILSON, SONSINI, GOODRICH & ROSATI, LLP,
6 601 Page Mill Road, Palo Alto, California
7 pursuant to notice, and before me,
8 ANDREA M. IGNACIO HOWARD, CLR, RPR, CRR, CSR
9 License No. 9830.

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DAVID FELDMAN WORLDWIDE, INC.

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1 A P P E A R A N C E S:

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3 FOR THE LEAD PLAINTIFFS AND PROSPECTIVE CLASS:

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11 FOR THE PLAINTIFFS VIACOM INTERNATIONAL, INC.:

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1 A P P E A R A N C E S (Continued.)

2

3 FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC and
4 GOOGLE, INC.:

5 MAYER BROWN, LLP

6 By: JOHN MANCINI, Esq.

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8 New York, New York 10019

9 (212) 506-2146

10 jmancini@mayer.com

11

12 ALSO PRESENT: Armando Carrasco, Videographer.

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ROSENBERG, J.

10:12:55 A About three and a half hours.

10:12:56 Q And did counsel show you documents during the
10:12:59 course of the three and a half hours?

10:13:00 A Yes.

10:13:00 Q Approximately how many documents did counsel
10:13:03 show you?

10:13:07 A Two dozen.

10:13:09 Q What is your -- what is your current position
10:13:16 at Google?

10:13:17 A I'm the senior vice president of product
10:13:19 management.

10:13:20 Q And was that the same position you held since
10:13:22 2005?

10:13:26 A Since 2000 -- yeah.

10:13:28 Q In other words, you haven't changed functions
10:13:31 since 2005?

10:13:33 A Correct.

10:13:33 Q Okay. And are you currently a member of the
10:13:40 Operations Committee of the company?

10:13:42 A Yes.

10:13:42 Q And previously, when the Operations Committee
10:13:45 was called the Executive Management Group, were you a
10:13:50 member of that as well?

10:13:52 A Yes.

1 ROSENBERG, J.

11:00:20 2 Q Now, there is a function -- strike that.

11:00:22 3 There is an event that's part of Google

11:00:27 4 culture which is called the -- a GPS conference; isn't
11:00:30 5 that true?

11:00:31 6 A Yes.

11:00:31 7 Q And just -- could you identify for us what
11:00:35 8 the -- what does "GPS" stand for?

11:00:37 9 A I believe it stands for Google Product
11:00:39 10 Strategy.

11:00:40 11 Q And I take it, by virtue of your position,
11:00:44 12 you would have -- you attended or attend almost all
11:00:48 13 GPS meetings; is that correct?

11:00:53 14 A No.

11:00:55 15 Q Do you recall whether you attended a GPS
11:00:58 16 meeting on the topic of Google Video that occurred in
11:01:03 17 approximately May 2006?

11:01:05 18 MR. MANCINI: Objection; lacks foundation.

11:01:08 19 THE WITNESS: I believe I attended GPS
11:01:12 20 meetings related to Google Video. I do not recall
11:01:14 21 specific meetings, and I do not believe I attended all
11:01:20 22 the meetings.

11:01:20 23 MR. BASKIN: Q. Well, do you recall
11:01:23 24 attending a meeting, in and around the spring of 2006,
11:01:26 25 where Mr. Chane made a presentation to the GPS

1 ROSENBERG, J.

11:01:34 2 regarding Google Video?

11:01:36 3 MR. MANCINI: Objection to form; and
11:01:37 4 objection; lacks foundation.

11:01:38 5 THE WITNESS: I recall being present when
11:01:43 6 Peter Chane presented information on Google Video. I
11:01:50 7 don't recall what meeting that was or when it was.

11:01:52 8 MR. BASKIN: Q. And do you recall a meeting
11:01:53 9 where Mr. Chane did that, that Mr. Schmidt was also
11:01:57 10 present?

11:01:59 11 A I --

11:01:59 12 MR. MANCINI: Objection to form; and
11:02:01 13 objection; lacks foundation.

11:02:02 14 THE WITNESS: I don't keep track of which of
11:02:03 15 the other executives are in these meetings. Eric is
11:02:07 16 not always at the meetings, and I'm not always at the
11:02:10 17 meetings.

11:02:10 18 MR. BASKIN: Q. The particular meeting where
11:02:12 19 Mr. Chane addressed the -- the meeting, do you recall
11:02:15 20 that Mr. Brin was present?

11:02:17 21 A No, I do not.

11:02:19 22 Q Now, as you sit here now, do you have any
11:02:28 23 substantive recollection of the GPS meeting -- the
11:02:35 24 subject of the GPS meeting in -- at which Mr. Chane
11:02:41 25 addressed the GPS?